

1 THE HONORABLE JOHN C. COUGHENOUR

2  
3  
4  
5  
6 UNITED STATES DISTRICT COURT  
7 WESTERN DISTRICT OF WASHINGTON  
8 AT SEATTLE

9 UNITED STATES OF AMERICA,

CASE NO. CR18-0033-JCC

10 Plaintiff,

MINUTE ORDER

11 v.

12 ISMAEL GARCIA, SR.,

13 Defendant.  
14

15 The following Minute Order is made by direction of the Court, the Honorable John C.  
16 Coughenour, United States District Judge:

17 This matter comes before the Court on the parties' stipulated motion to continue the trial  
18 date and pretrial motion deadline (Dkt. No. 89). Defendant has filed a waiver of speedy trial  
19 waiver through March 15, 2019. (Dkt. No. 91.) Having thoroughly considered the parties'  
20 stipulated motion (Dkt. No. 89) and Defendant's speedy trial waiver (Dkt. No. 91), the Court  
21 FINDS:

- 22 1. Taking into account the exercise of due diligence, a continuance is necessary to allow the  
23 defense the reasonable time for effective preparation and review of relevant foreign  
24 language discovery materials. 18 U.S.C. § 3161(h)(7)(B)(iv).  
25 2. Proceeding to trial absent adequate time for the defense to prepare would result in a  
26 miscarriage of justice. 18 U.S.C. § 3161(h)(7)(B)(i).

1 3. A continuance is necessary to ensure adequate time for defense investigation, effective  
2 trial preparation, and an opportunity for Defendant to benefit from these efforts.

3 Therefore, the Court finds that the ends of justice served by granting this continuance  
4 outweigh the best interests of the public and Defendant in a speedy trial. 18 U.S.C.  
5 § 3161(h)(7)(A).

6 It is therefore ORDERED that the trial date be continued from November 13, 2018 to  
7 February 19, 2019 at 9:30 A.M., and that the time between the date of this Order and the new  
8 trial date is excludable time under the Speedy Trial Act pursuant to 18 U.S.C. §§ 3161(h)(7)(A),  
9 3161(h)(7)(B)(ii), 3161(h)(7)(B)(iv) and 3161(h)(6). Any pretrial motions shall be filed no later  
10 than January 4, 2019.

11 DATED this 12th day of October 2018.

12 William M. McCool  
13 Clerk of Court

14 s/Tomas Hernandez  
15 Deputy Clerk  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26